

**MINUTES**  
**BOATING AND WATERWAYS COMMISSION MEETING**  
**SACRAMENTO, CALIFORNIA**  
**JANUARY 9, 2003**

Pursuant to due and regular notice, the meeting of the Boating and Waterways Commission was called to order by Commissioner Michael Beatie, Chairman, on January 9, 2003, at 8:02 AM, in the Radisson Hotel, Sacramento, California.

**ROLL CALL**

Commissioners Present:           Michael L. Beatie, Chairman  
  Frederic A. Heim, Vice Chairman  
  Robert Y. Nagata  
  Warren E. Rupf

Commissioners Absent:           Joseph P. Sharpe

Department of Boating and  
Waterways Personnel Present:   Raynor Tsuneyoshi, Director  
  Dolores Farrell, Chief, Boating Operations Division  
  David Johnson, Chief, Legislation  
  Steve Watanabe, Supervisor, Civil Engineer  
  Harold Flood, Supervisor of Planning, Facilities Division  
  April Moses, Associate Governmental Program Analyst  
  Margarita Sanchez, Administrative Assistant  
  Sumer Goza, Office Technician  
  Clint Beers, Office Technician

**APPROVAL OF MINUTES**

Commissioner Nagata pointed out that there was an error, which needed to be corrected. On page 5, second paragraph, third sentence should read "...received \$400,000 from city ..."

**MOTION:**   It was moved by Commissioner Heim and seconded by Commissioner Nagata that the minutes of the November 14, 2002, meeting be approved as corrected. The motion carried unanimously.

**CHAIRMAN'S REPORT**

Commissioner Beatie reported on the passing of Commissioner Nelson. He sends his thoughts and prayers to his family.

## **DIRECTOR'S REPORT**

Director Tsuneyoshi welcomed and wished everyone a happy New Year. He commented that with the passing of Mr. Harry Nelson on November 13, 2002, the Department lost a good friend and Commission member.

Mr. Tsuneyoshi announced the promotion of Mr. Harold Flood to supervisor of the Planning Unit in the Boating Facilities Division. In addition, he announced the retirement of Mr. Don Waltz and commented on Don's achievements with the Department. Mr. Tsuneyoshi introduced Mr. Carl Moore and stated that Carl will be assisting the Department in Don's absence.

Mr. Tsuneyoshi further stated that due to the budget problems, the Administration has requested that all future Commission meetings be held in Sacramento until further notice.

## **LANDSCAPING AND OVERHEAD POWER LINES**

Mr. Steve Watanabe, Supervising Civil Engineer, gave a presentation on landscaping and overhead power lines. He explained to the Commission the need for landscaping and overhead power lines, which are included in the Department's grant and loan projects. He indicated that last year, the Commission approved 30 grants totaling over \$34 million dollars and that 14 of those projects had landscaping cost associated with them and 2 had overhead utilities cost associated with them. The total amount of money spent last year on landscaping and overhead power lines was \$653,000. Mr. Watanabe reported that inclusion of these items is necessary for safety and compliance reasons. He further informed the Commission that many counties have zoning ordinances that dictate landscaping requirements within parking lots and that projects that are located along Caltrans' highway corridors require approve landscaping with a no overhead utility rule.

Commissioner Rupf commented that the Department should look into partner participation on the issues of landscaping and overhead power lines. He stated that he is not opposed to the cost of landscaping and overhead power lines, but that the Department should look into other government entities to help cover the cost.

## **CONSIDERATION OF PUBLIC LOANS**

Mr. Flood presented to the Commission for its advice and consent the following requests for public loans:

### **National City Marina**

Request for a Phase II loan of \$4,031,000 to the San Diego Unified Port District for construction of the National City Marina. The total amount of the loan is \$11,000,000. The proposed site of the National City Marina lies within the city of National City on the Sweetwater Flood Control Channel.

Mr. Flood reviewed the project and explained that the project entails: (1) construction of a 229 concrete berth marina, (2) the addition of standard access and barrier-free access gangways, (3) construction of a 192 space parking area, (4) construction of a harbormaster's building,

(5) construction of a boater's restroom, (6) installation of dock utilities, (7) construction of a fuel dock, (8) slope protection, (9) security gates, (10) public access pathways, (11) landscaping and irrigation, and (12) signs and ancillary items.

The San Diego Unified Port District and the city of National City will be funding: (1) dredging of the marina basin, (2) installation of pilings, (3) dock communications, and (4) storm drains.

Mr. Roy Nail, Port of San Diego, was available to answer questions from the Commission. Mr. Flood indicated that staff recommended that the Commission consent to the project.

Commissioner Nagata commented that he visited the site and recommends approval.

**MOTION:** It was moved by Commissioner Rupf and seconded by Commissioner Heim that the Commission consent to the Phase II loan of \$4,031,000 to the San Diego Unified Port District for construction of the National City Marina. The motion carried unanimously.

Mr. Roy Nail thanked the Commission for approving the loan.

#### **Alamitos Bay – Basin 4**

Request for a Phase I loan of \$2,000,000 to the City of Long Beach to make improvements to Alamitos Bay-Basin 4. Total amount of grant is \$8,250,000. Alamitos Bay is located in the southeastern portion of the City of Long Beach. Basin 4 is located on the northwest side of Alamitos Bay.

Mr. Flood indicated the proposed project entails: (1) dredging the marina, (2) demolishing existing berths and construct new berths, (3) repaving the existing parking area, and (4) constructing a new restroom. Mr. Flood indicated that staff recommended that the Commission consent to the project.

Commissioner Nagata commented that he visited the site and recommends approval.

**MOTION:** It was moved by Commissioner Rupf and seconded by Commissioner Heim that the Commission consent to the Phase I loan of \$2,000,000 to the City of Long Beach to make improvements to Alamitos Bay-Basin 4. The motion carried unanimously.

Mr. Douglas Parsons, Superintendent of Operations Marine Bureau, City of Long Beach, thanked the Commission for its approval of the loan.

#### **McClure Point Recreation Area**

Request for a loan of \$767,000 to the Merced Irrigation District, to make improvements to the McClure Point Recreation Area on Lake McClure. Lake McClure is located in the northwest corner of Mariposa County. The McClure Point Recreation Area is located on the west side of the lake.

Mr. Flood indicated the proposed project entails: (1) constructing 24 additional houseboat berths, (2) constructing 108 offshore houseboat moorings, and (3) constructing a wave attenuator. Mr. Flood indicated that staff recommended that the Commission consent to the project.

Commissioner Beatie commented that he visited the site and thanked Mr. Mike Bermingham for a thorough tour of the site. Commissioner Beatie recommends approval.

**MOTION:** It was moved by Commissioner Rupf and seconded by Commissioner Heim that the Commission consent to the loan of \$767,000 to the Merced Irrigation District to make improvements to the McClure Point Recreation Area on Lake McClure. The motion carried unanimously.

## **OLD BUSINESS**

### **Spud Point Marina Business Plan**

Mr. Moore gave a brief overview and history of Spud Point Marina. He suggested adding a new commission member to the subcommittee replacing Commissioner Nelson, so a meeting can be set with Sonoma County to explore all the options available to the Department and the county.

Commissioner Heim volunteered to serve on the subcommittee. Commissioner Nagata commented that with the passing of Commissioner Nelson, he is now the sole member of the subcommittee and would welcome the addition of Commissioner Heim. Commissioner Beatie approved Commissioner Heim and Commissioner Nagata as members of the subcommittee.

### **Pier 38 Private Loan Restructuring**

Pier 38 Maritime Recreation Center, Inc. (Pier 38 MRC) has applied to the Department for an extension of deferred payments. Mr. Flood indicated the Department of Boating and Waterways' staff recommends that the Commission consent to the deferment of payments through June 2003 (payments to resume no later than July 1, 2003) to Pier 38 MRC based on the following:

- Pier 38 MRC's good payment history prior to September 11, 2001
- Arbitrator's recent decision in favor of Pier 38 MRC
- Increase in collateral property

Commissioner Nagata inquired on the use of the money from the first loan to Pier 38 MRC. Mr. Flood indicated the loan was used for improvements to the pier and the addition of transient berths.

Mr. Brian Connors, Attorney, and Mr. Carl Ernst, President, Pier 38 MRC were available to answer any questions from the Commission.

There was discussion on the newspaper article by Mr. Peter Byrne, with regards to Pier 38. Messrs. Connors and Ernst commented that many of the allegations in the article were not true. After discussion a motion was made.

**MOTION:** It was moved by Commissioner Rupf and seconded by Commissioner Heim that the Commission consent to the extension of deferred payments through June 2003 (payments to resume no later than July 1, 2003) to Pier 38 Maritime Recreation Center, Inc. The motion carried unanimously.

## **NEW BUSINESS**

**None**

## **PUBLIC COMMENT**

Mr. James Shupe, Regional Vice President, Marina Recreational Association spoke on his opposition on the Department funding the National City Marina because of the lower interest rate. He stated it would create unfair competition for private marina owners. Commissioner Beatie thanked him for his comments.

## **COMMISSIONER ANNOUNCEMENTS**

The next Commission Meeting will be held on March 13, 2003, in Sacramento.

## **ADJOURNMENT**

The meeting adjourned at 11:00 AM.

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Raynor Tsuneyoshi, Secretary